1871
(L.R).

File: No. 16.
Serial. No: 1-2. 5-6.

Sub. Protest by Mr. Walker against the high assessment levied on his land at Hirganahalli

G. R. S. IX-5]

Previous references.

1871
~~191~~.
(L.R.)

File No. 16

Serial Nos. 1–2, 5–6

Later references.
LR. 10-1887
LR. 8-1888
LR. 63-1891
LR. 64-1894

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—2, 5—6

Part B for May 1872

SUBJECT.

Protest by Mr: Walker against the high assessment levied on his lands at Hengavadahalli.

W D 88—GPB—50,000—24-7-16

Andersen

No. 27

(7)

Memorandum

With reference to Ashtagram Superitts letter No. 55/6 dated the 22nd April 1872, I beg to submit the following report.

2. It would appear that sometime previous to March 1866 or in 1865, the Reverend Mr. M. W. Walker of Goobbi after corresponding with the Amildar of Nagamangala Talook, threw up a stone dam across a Nullah, carrying the surplus water of Balagoongee Tank, of the Turrikéré Talook, Toomkoor District, running thro' Mr. Walker's lands, held on dry rates of assessment at Herganahalli of the first mentioned Talook.

3. The construction was, in a notice from the Deputy Superintendent of Hassan dated 23rd March 1866, termed an unauthorized step, and as such, Mr. Walker was therein warned to prepare himself to be responsible for any loss which may accrue to Government, or other persons therefrom; and the Reverend Gentleman in reply wrote to

to plead he lay under no such liability, as he had acted with the Amildar's permission vide correspondence ~~enclosed~~ with that Officer (not filed with the enclosures to this Office.).

4 Letter No. 385, dated the 6th October 1866, from the Deputy Superintendent, to Captain Clarke, however informed that the enclosure of his (Mr. Walker's) letter did not shew that the Amildar had granted permission, but nevertheless as there existed no objection to the retention of the dam, it was desirable that the Gentleman should state whether he purposed to convert the irrigable area from the work into wet, in order that steps may be taken to extend to it the provision of the Commissioner's Circular of the 13th July 1863" (31st March 1863 or 24th July 1863).

5. Agreeably to the above it was stated to be the intention to bring 6 Candies under wet cultivation, if the supply was adequate, and the extension of the benefits of the Circular referred to solicited. Y 24th October 1866.

Nothing

6. Nothing seems to have been done after this, until the 31st October 1868, when Mr Walker in an Urzie addressed to the Amildar represented, that he had incurred heavy losses consequent upon the breach of Ba = = lagoongee Kéré above, and the heavy rush of water washing away the crops on his ground; that he had addressed a petition to the Deputy Superintendent and was inform = ed that the matter was referred to the Amildar who has not as yet, tho' reminded, inspected the spot, which should now be done; that there has been another similar inundation with the same result, and requested that with a view to recompense him for his losses, authority may be obtained for him to reconstruct a dam and to some extent flank the Nullah running thro' his land with stones, which would cost about Rupees 5 or 6000, and to raise wet and garden crops on the land with the aid of the water thus stored, the present assess = ment not subject to be disturbed under Columns 3 of Commissioner's Circular of

13th July 1863.

7 The project now seems to have been referred to the District Executive Engineer, for report, probably as to the work being profitable to be undertaken by Government, and to offer professional opinion as to the nature of the construction ~~which~~, as provides for in Circular of March 1863.

8. The Executive Engineer after inspection, reported, (c1. 34 dated 19th June 1869), the project, "fairly remunerative as a private undertaking and" the dam should be substantially built, and care taken to preserve it from being flanked, at either end."

9 Mr Walker was thereupon, called to forward an estimate of outlay on the work, and informed, that the Collector has been instructed to make over the additional lands applied for on Bengal rates, provided he was given lands on the favorable terms of the Commissioner's Circular.

10. With his letter dated 27th July 1869, Mr Walker soliciting for early grant of

Permission

permission, submitted an Estimate amounting to Rupees 1980, which was scrutinized by the Executive Engineer, who, remarking that without a longitudinal and cross section of the Nullah, he could not test the accuracy of the Estimate, however opined the rates were moderate and if the bunds on either side were sufficiently high, a rough stone dam of the plan submitted may do.

11. The necessary authority to proceed with the work was now conveyed to Mr. Walker in the Deputy Superintendent's Docket No. 627, dated 25th October 1869, and he was subsequently in Docket No. 985 dated 14th March 1871, enquired, whether any & what progress has been made in the dam work, and he was also given to understand that wet rates will be charged on his land planted that year with Sugarcane, if the irrigation thereof was from Balagoongee Tank.

12. In answer, it was submitted that not the Tank water, but the percolating water, collected in a dam thrown across the Channel sometime before with permission

was

was made use of, and that the materials for the proposed new dam were in collection.

13. Mr Walker was, on this informed × 15th June 1871
that the Assistant Engineer has been addressed, to inspect the dam referred to, with a view of submitting a report of the nature & stability thereof to the Chief Commissioner, previous to obtaining sanction to the remission of ¼ the assessment conceded to in the Circular of 1863, and in the meanwhile he will pay at 3 Pagodas per Candy or 1 Pagoda less than the Village revay.

14. This imposition was protested against, and probably on a complaint to the Superitt, that Officer would seem to have made certain enquiries of the Deputy Superintendent in connection with the subject, who in his No. 594 dated 9th September 1871, reported for the Superintendent's information, that 2 dams were undertaken by Mr Walker, one in 1865 which was in 1866 completed at an alleged outlay of Rupees 2,200, and since damaged; and the 2nd is in course of construction having already cost Rupees 2500, and the whole cost

is

is estimated at Rupees 3117; that the former dam was authorized by Captain Clarke on the 5th October 1866, and the latter on the 25th October 1869, and the Deputy Superintendents were then empowered to permit private individuals to construct works of irrigation on the terms of the Circular of 1863; that the land held by Mr. Walker, who obtained the same on dry rates of annas 4-8 per Coodoe, previously brought nothing to Government; and that as sugarcane crop was raised with the aid of water from one of the dams, and on the strength of the Circular of 1863, Mr. Walker claims the continuance of the dry rate hitherto paid; and he has been allowed a reduction of one rate last year owing to the injury done to the dam & Crop by the breach of the Bank above.

15. The Assistant Engineer would seem to have again inspected the works and made certain suggestions in the construction of the dams which Mr. Walker promised to carry out as far as practicable.

16. The Superintendent reporting the subject

subject matter of Mr Walker's case, recommended in letter of No 543/114 dated 20th November 1871, that the benefit of Rule 5 of the Commissioner's Circular of 1863 may be extended to him.

17. The Chief Commissioner's order on this was, that tho' not regularly authorized, the despatch letter No 385 of 30th 1866 was a Mr Walker had had sufficient assurance in the case of dam I, ~~and dam II was properly authorized which reason entitled him to~~ that 1863 should be extended to lands irrigated under it the concessions held out in the Circular of and that as the P.W. enamel Plan of Dam No II the Govt. extend the lands under the same concessions ~~Mr~~; but that Mr Walker seemed to be in mistake in asking for the continuance of the low dry rates of assessment, whereas the Circular provided the grant of land, either on a remission of ¼ the wet assessment, or on the highest adjoining dry rate; and that ~~as~~ the Chief Commissioner apprehended the power to give sanctions of the kind, was withdrawn from the local Officers which should be reported upon. ※ Mana q Yella Krishnappa d 12 Feb 1872

18 The above was communicated in this Office letter of No 5466/66, dated 12th February ※ 1872, and the Superintendent in the letter

under

under reference, explains in reply that, Mr Walker was in his previous letter recommended to be entitled to the provisions of Para 5, of the Circular of 1863, the work being a new one.

19. The clause referred to above runs as follows.

"In the case of a Ryot constructing a new work, either Tank or Well, at his own expense, where no such means of irrigation previously existed, the dry land rate of assessment which formerly prevailed should not be disturbed except in the case of a general revision of assessment, since it is only just and fair, that a man should reap the profits of Capital laid out by himself. As however orders to this effect may interfere with Puttahs given this year, the Commissioner leaves it to you to prescribe from what date hereafter this more favorable arrangement may be put in force".

20. Tho' from Mr Walker's applications it may be implied that he seeks the concession made

made in the above clause, and the Superintt in his first letter on the subject, recommended the case being brought under the operations of the said rule; yet there is reason to apprehend a mistaken view has been taken of the matter, inasmuch as Mr Walker seems to think the assessment originally fixed on his ground should never be disturbed, while the rule to the benefit of which he is recommended clearly states the concession would last only until a general revision of assessment, which in the present case would be the extension of the Survey operations to the Village; and it could not be, after the expenses stated to be incurred, that Mr Walker will reap any commensurate benefit by such a concession, and would have been recommended to it, if such was understood to be the case.

21. Further the clause does not impose, that the sanction of the authorities should previously be obtained to the construction of works of the description mentioned therein,

4

25 Under this view probably the Chief Commissioner while sanctioning the grant of the concession on the Superintendent's recommendation pointed out the same should take the form of ¼ th remission of the wet rates leviable on the irrigated land or the highest dry rate obtaining in the neighbourhood; but not the continuance of the low dry rate at present paid.

26. The Superintendent in the letter under reference states Mr Walker was recommended to the provisions of para 5 of Circular of 1863 to which he was entitled.

27 I still think that as expressed in para 20 there has been a misapprehension and it has not been the intention, after detailing the strong claims which entitle Mr Walker being assigned the land on permanent profitable terms, to recommend to and obtain the Chief Commissioner's authority to the temporary continuance to Mr Walker of the land held by him at the present low dry rates, as this offers no return for the Capital laid out and

further

further would be against the assurance on which the Reverend Gentleman has acted.

28 Under these circumstances I would humbly suggest the Superintendent may previously be requested to ascertain from Mr. Walker after explaining the nature of the concessions as held out in the 2 paras 2 and 5 of the Circular of 1863, which of the two he would like to avail himself of.

29. The power to grant permissions to the constructions of irrigation works under the Circular of 1863 was withdrawn from the District and Divisional Officers only recently by the Notification dated 23rd December 1871 issued in modification of the said Circular of 1863.

30. In the concluding part of the Supdt's letter No. 543/114 of 20th November 1871 authority is also solicited to the transfer of Belagoongee Pirkah to the Hafsan District from the Foonkoor District which point is pending receipt of opinion of Nandidroog Division who has been addressed on the subject.

Supt. of Revenue reported that the Rights Minds it was decided that it should be left for disposal by the Survey dept. Supt. of Ashta was informed accordingly 18.5.72

16th May 1872. A. O. Cahon Supt

Seen Dr. 20/5/72

M.

[illegible] Captain
[illegible] Hall Lane
[illegible] & Walker
Re: the [illegible] Lane
in this Country -

Capt Hall, as Offg Supt
begs to forward [illegible]
Lane & Walker's [illegible]
request for [illegible]
consideration -

This file was sent
to Capt Hall from [illegible]
Office - Mr Walker's letter
to the Offg Supt was
[illegible] -

Submitted for Com. [illegible]
J.P. 16
[illegible]

[illegible] also that
Mr Walker [illegible] Captain
[illegible] cases in Straits
[illegible] Burgoyne [illegible]
512. JP

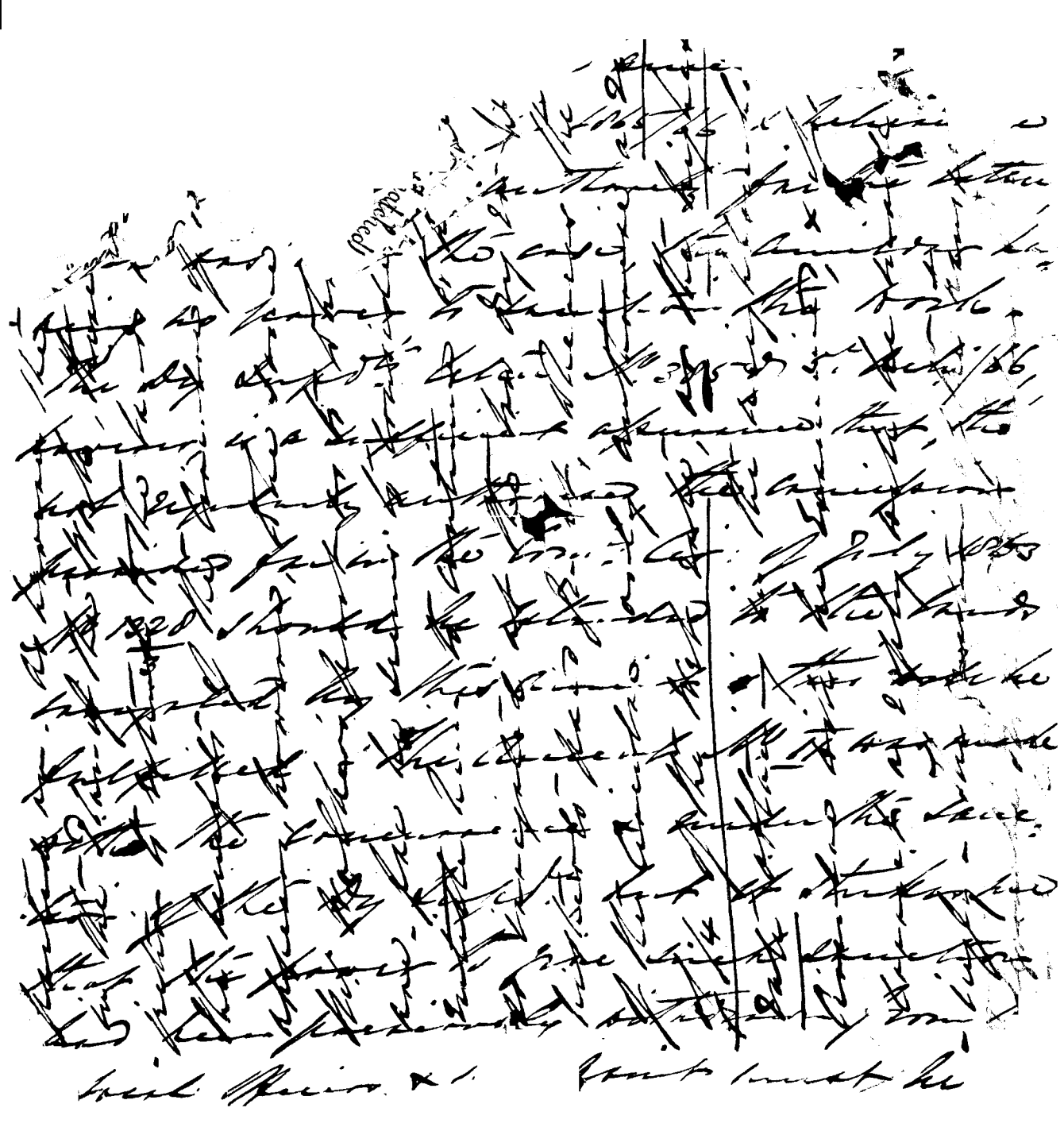
I
Jan
Received 1 Jan
Dept 522
Enclosures No.
General No. 543
P No. 714
1871/72

Submits copies of
correspondence on the
subject of the reduction
of rates solicited by Mr
Walker on lands mortgaged
by some of his own con-
nection &c -

to Secretary with Circulars
of 13th July 1863 and 28th
April 1871, and any super-
venes on the subject in 1866
when Captain Clarke was Offg
Supt & Supt of Hospitals

22-11-71

Enc: 763 + 71 - with
Memo: from Auditor General
Chairs -
22/11/71



(1)

Admin: Supdt's: Office.

Genl: No. 543.
Rec. 14 Jo,

The Secretary to the
Chief Commissioner
of Mysore
Bangalore

Section LR
File No 16-1871
Serial No 1

Dated Mysore 20th November 1871.

Sir,

I have the honor to request the favor of your submitting for the favorable consideration of the Chief Commissioner, the marginally noted copies of correspondence on the subject of the two Irrigation Works (Dams) undertaken by Mr. Walker, across a nullah running thro' his ground at Hurgunhully in the Nagamungala Talook from the Balagoonchi Tank, attached to the Turnikera Talook in the Tumkoor District.

From the Dy: Supdt: Hassan No. 31473-7-71.
do — do — do — No. 39499-9-71
do — do — do — No. 43098 12-10-71.
do — do — do — No. 80907-11-71
together with a map.

2. The construction of the first dam was undertaken by Mr. Walker in 1865, and completed in 1866, on the alleged

alleged authority of the Talook Amil-
dar, with a view to the irrigation
of 6 Candies of his own puttah land.-
Subsequently the dam having been
seriously damaged from the effect
of a heavy rush of water, when the
Balagoonchi Tank breached about
two years ago, Mr. Walker, under
permission from the Deputy Super-
intendent and with the approval
of the D. P. W., appears to have un-
dertaken in the month of November
1870, the construction of an addi-
tional dam of a substantial nature,
across the same nullah, about a
mile from the former, at an esti-
mated outlay of Rs. 3,117 with the
intention of carrying on extended
cultivation; this work has not
yet been completed.

3. The extent of land held by
Mr. Walker under the first dam
is 24 acres and 6140 yards in dry land mea-
surement, equivalent to 1-14-7/2 K. K. M.
bearing

tank being the Baluru-Dassanahalli whereas the authorities of the Toomkoor District have to proceed for nearly 20 miles along the high road in this District to get at it, therefore the transfer of the Balgonchi Tanks to this District as recommended by the Deputy Superintendent of Hassan appears desirable as tending to ——" further the interests of Government and the improvement of the boundary line of the two Districts, I request therefore you will have the goodness to obtain the Chief Commissioner's sanction to the same: when he may happen to pass close to the tank which is on the right hand side of the road two miles from Heerasave.

I have the honor to be
Sir
Your Most Obt: Servant
J Bell
Offg: Superintendent
ash: Division

To,

Captain H. G. Thomson
Offg: Dy: Supdt:
Hassan District

Sir,

With reference to your Canarese notice dated 23rd March 66 sent for my information through the Police Court at Bangalore charging me with having built a stone dam across a nullah running through my ground at Hirigankully in the Nagamangala Talook without permission; and therefore threatening to hold me responsible for any loss accruing thereby, either to Government, or any person; I regret to observe that you must have been wholly misinformed about the dam referred to.-

I do herein enclose copies of several letters which had passed between the Amildar of Nagamangala and myself regarding the stone dam

dam in question, from which you will see that I had requested permission to erect a stone dam across the Nullah, running through my ground, previous to my having done anything towards the dam, and had also obtained the Amildar's permission (though after much delay on his part) to that effect.

I trust you will consider this and the copies of letters enclosed, a sufficient explanation, to remove the erroneous impression from your mind regarding the course assumed by me, in the erection of the dam alluded to, and that you may deem it but right to clear me from the accusation laid against me and also exempt me from the serious consequences which may follow your threat of holding me responsible for any loss accruing either to Government or others by the erection of

the information conveyed to me therein, viz: that the Amildar of Nagamungala had not exceeded his power in authorizing the construction of the stone dam built by me on my ground and that there exists no objection to the retention of the dam in question.

I further beg to state that it is my wish to bring under wet cultivation the six Candies of land which lay behind the stone dam referred to, provided I could command sufficient water for this purpose and shall therefore feel much obliged to you, if you will kindly extend to it the provisions of the Commissioners Circular of the 13th July 1863.-

I have &c

(Signed) W. Walker

To,

W. Walker Esqre

Bangalore

Dss

Dated 2nd June 1869.

No. 167.

His letter of the 24th Oct. 1866.

In reply to the above, has the honor to forward for his information copy of Docket No. 280 of 1st inst. from the Executive Engineer Hassan Division intimating that he will inspect the site of the proposed dam at Haraganahully in the Nagamangala Taluk next week.-

Signed/ W. Hill
Deputy Superintendt.
Executive Engineer's Office
Hassan Division

No. 340

To,

The Deputy Superintendt.
Hassan District

Sir,

With reference to your docket No. 49 of 23rd April last and previous correspondence, I have the honor to submit the following report on the Amee Tank and

Docket No. 255 of the 23rd ultimo regarding the construction of a stone dam across a stream running through my ground as proposed by me, I beg to forward (enclosed) as requested by you an Estimate showing the probable cost of the Dam to be erected, and shall feel obliged by your taking early steps to obtain for me permission to build the Dam, on the favorable terms authorized in the Chief Commissioner's Circular of 1863 so as to enable me to collect materials requisite for the dam.

Rs. 1,980

I have &c.

(Signed) M. W. Walker

To,

The Executive Engineer

Hassan Division

(Dated 29th July 1869.

No. 234

With reference to previous correspondence on the subject, forwards

forwards copy of letter dated 27th Instant from Wm. M. Walker of Hergauhully with its enclosure - an Estimate for the stone dam proposed to be erected across a stream running thro' his ground, for any suggestions he may have to offer.-

(Signed) W. Hill
Deputy Superintendt:
No. 433.

To,

The Deputy Superintendt:
Hassan District
Dated 3rd August 1869.

Your No. 234 of 29th Ultimo forwarding for suggestions copy of Wm. Walker's letter dated 27th Ultimo with its enclosure regarding the proposed construction of a stone dam across the stream running through his ground.-

Has the honor to return the inclosure of the above, and to state that without a longitudinal

and

and cross section of the stream the undersigned could not form an opinion as to the accuracy of the estimate.-

The rates are moderate and if the proposed bunds on either sides are sufficiently high to secure the wings from being flanked, a rough stone Dam of the plan proposed would answer the purpose required.

(Signed) R. C. Dobbs
Executive Engineer
Kassan Division

To,

The Revd. M. W. Walker
Dated 25th October 1869
No. 624

Your letter of the 27th July 1869 proposing to construct a stone dam across the stream running through his ground.-

The reply has the honor to forward copy of Mr. Dobbs' docket-
No. 455

No. 455 of the 3rd. August 1869, and requests to proceed with the construction of the aucut on the favorable terms allowed in the Chief Commissioner's Circular of 1863.

(Signed) W. Hill
Dpty Supt.

To,

The Revd. M. W. Walker
Dated 14th March 1871.
No. 985

This office docket No. 627 of the 25th October 69, regarding the construction by him of stone dam across the stream running thro' his ground.

With reference to the above has the honor to inquire what progress has been made by him in the construction of the dam. If the 12 Candies of wet land which he has cultivated with Sugar Cane this year be irrigated from the Balgownie tank and not from

In reply has the honor to inform that the assistant Engineer Hassan Ranga has been requested to inspect the irrigation works referred to by him in the above, in view to a report being submitted to the Chief Commissioner as to their cost and probable stability prior to sanction being obtained for a reduction of 1/4th in the rate of assessment according to the favorable terms laid down in the Commissioner's Notification of the 13th July 1863. In the meantime the Amildar has been directed to charge him 3 Pagodas per Candy on the wet land cultivated with Sugar cane which is one Pagoda less than the village rate.

(Signed) W. Hill
Deputy Supdt.

Captain W. Hill
Deputy Superintendt.
Goobbee June 13th 1871. Sir

Sir,

In reply to your docket No. 299 of the 5th Instant, I have the honor to state that previous to the construction of the stone Dam referred to in your docket, I had requested permission to be allowed to construct the dam at my private expense for the irrigation of my grounds on the favorable terms offered to all land holders indiscriminately in the Chief Commissioner's Notification of the 15th July 1863, viz that ryots or land holders repairing at their own expense old tanks, or sinking new wells should continue to pay unirrigated or dry rates for such grounds as they may bring under wet cultivation. It was at the above liberal rates expressed in the Chief Commissioner's Circular of July 1863 I had obtained permission

to

To,

The Revd: Wm Goulker
Bangalore

Sir,

In reply to your letter of the 19th April last the answer to which has been deferred pending a reference made to the Amildar of Nagamangala on the subject, I have the honor to observe that from a perusal of the vernacular papers forwarded with your letter, it does not appear that the Amildar so far exceeded his power as to authorize the construction of the dam referred to. It would seem however, that no objection exists to the retention of the Dam, but it will be desirable that you should state whether you purpose converting into wet cultivation the 5 or 6 Candies of land which is reported to be now capable of irrigation in order that steps may be taken to reclend

to it the provision of the Commissioner's Circular of the 13th ult July 1863.

The memorandum enclosures of your letter under reply are herewith returned.-

I have &c

/Signed/ C. G. Clarke
Dy: Supt: Hassan Dist:

"Copy"
/Signed/ W. Hill
Dy: Superintendt:

To,
Captain W. Hill
Deputy Supt:
Hassan Dist:

Haraganahully 31st July/71

Sir,

I have the honor to acknowledge your docket No. 2.09 of the 5th Instant accompanied by a copy of the Asst: Engineer's letter dated 3rd July. In reference to Stone Dam No. I as marked out in the Assistant Engineer's letter, I beg to State

being granted to me by the Supt: Ashtagram Division on application as Koshkee land.-

5. The extent of irrigable land below both dams inclusive is 23 bandirs of Jerib measurement as stated by the Shirkdar in his "Punash pukkee" a copy of which is herein enclosed and of which about 8-9 bandirs are now under irrigation.-

I have &c
(Signed) M. W. Walker

To,

The Deputy Superintendt:
Hassan District

Dated Hassan 16th Augt: 1871.

No. 198.

His No. 280 of 3rd Instant forwarding copy of Mr. Walker's letter of 31st July 1871.-

In reply has the honor to state that he has again inspected the place and that Mr. Walker's remarks

remarks are correct..

/Signed/ H. W. Clift
Asst: Engineer

"Copies"
/Signed/ W. Hill
Deputy Superintendt:
Deputy Supdt's: Office
Hassan District
Hassan 12th Octr 1871.

No. 730,

To,
The Superintendent
Ash: Division.

Sir,

In reply to the queries put in para 6 of your letter No. 591 of the 29th ultimo, I have the honor to submit:

1st That the extent of land held by Mrs. Walker under the dam first constructed is 24 acres and 4,40 yards, which in dry land measurement is equivalent to 1. Candy, 17 Coodoos and 9/2 marais, hitherto bearing an assessment

of

By this step the boundary line of the two Districts will be improved, as the end of the fusses which runs into this District will be cut off. A list of the villages and their revenue is shown in the margin.

	Rs. as. P.
*Balaguncky	436-1-8
Authanahully	46-2-8
Honchethally	619-3-03.
Hounanna-handhully	131-1-0
Gowdenhully	209-11-8
Timlapoor	26-6-7
Sinnavana-halley	3 2-6-"
Anianakere	826-2-1
Total	2,127-2-8

To show that it is entirely for the interests of the public Service, and not from any wish of District aggrandizement, that the present proposal is made, I may mention that not long ago some villages were transferred from this District to the Hosanilly Taluk of the Toomkoor District, and lately the country about Gurdengeray was handed over to the Bahamas Taluk in the Kadoor District.-

I have &c

"Copies" Signed J. S. F. Mackenzie

Offg: Dy: Deputy Hassan Dist

Offg: Superintendent Ash: Division

C.N.V.

MMS

Rec'd 1892

From

No. 5768/66

To The Superintendent of the Ashlagram Division

Dated 12th February

Despatched

Received

Enclosures No.

General No. 5768 } 18
Rec'd No. 66 }

With reference to Captain Hill's letter No 573 of 20th November com- 114 - ve your observations upon Mr. Walker's request to the reduction of rates on his lands irrigated by the con- struction of Anicut

R&L 16-1871 2

Encl. No. 5268
Burma-66 } 1871/72

(2)

Imperial Chief Comrs. Office
Rangoon 12 July 1872

To,
The Supdt. of the
Martaban Division

Sir,

I am directed to acknowledge the receipt of Capt. Hill's letter No. 543 dated 20th June last, reporting on Mr. Walker's request for a reduction of rates on lands irrigated by Amicut of his own construction, and to convey the following observations:-

2. From a perusal of the papers submitted, the Chief Comr. gathers that Mr. Walker was in correspondence with the Builder of Nyaunmeda
regarding

regarding the Amicus
No. I previous to its
completion in 1865/66,
and believed he had
the requisite authority
for ~~the latter~~ Construction,
but was not the case,
the Municipality having
no power to sanction
the work.

2. The Harbour Master
substitute letter No. 385
dated 5th Oct. 1866, is
a sufficient assurance
that, the not regularly
authorised, the encroach-
ment provided for in
the Govt Circular of
July 1863 No. 1328/3 would
be extended to the lands
originally by this Amicus
and this would
not, ~~otherwise~~ be
be fulfilled

The

3. The Lieut. Gov. It
appears to have been
Constructed with the occ.
currence and under
the sanction of the
Dist. Officer, but the
Chief Comr. thinks
that the power to give such
sanction had been
previously withdrawn
from the Dist. Officers, and this point he desires
should be
referred upon.
It appeared. He, however,
even the D. M. O. con-
curred in the plan
of the work, the Chief
Comr. has no objection
to extend it to the lands
under this Grant also, the
benefits of the Cir.
of 1862.

4. Mr. Walker seems
to be in error as to
what the benefits of
the Cir. are, since

he inclines to the belief that they are. Still I continue to hold the land as originally at the low duty rate he has suggested paid in the warrants, the terms of the Act only authorise a remission of 1/4 of the ~~lost~~ rate, or, the highest duty rate known in the ~~Act~~ Tariff, ~~and~~ which he should be informed.

5. The question of the transfer of the Belgomeli Firka has been referred to the Supdt. of the Assam District for opinion.

Have the

Warrants

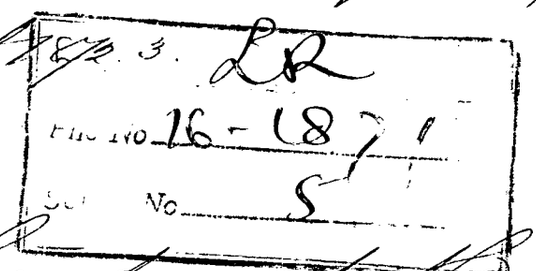
ready

(5)

The Deputy Secretary to the
Government of Mysore
Bangalore

Dated Mysore 22nd April 1872.

General No. 54.58 of 1872-3.
R.O.: " 7 6



To
The Secretary to the
Chief Commissioner
of Mysore.
Bangalore.

Sir,

In reply to your letter No. 5468 of the 12th February 1872 I have the honor to submit herewith, for the orders of the Chief Commissioner, copy of letter No. 31 of the 9th instant with its enclosures in original from the Deputy Superintendent of Hassan on the subject of keeping Cundayanadoo certain lands irrigated by the dams constructed by Dr. Walker.

2. I beg to observe that in para 4 of this office letter No. 543 of 20th November 1871, the opinion was offered that Dr. Walker was entitled to the full benefit of rule 5 of the Circular of 1863 as the works were new ones.

3

3. I am under the impression that this rule of the Circular regarding notice, when the orders of the Chief Commissioner are communicated in Secretary's letter No. 5768 of the 12th February 1872, and in that case the responsibility for the overnight rests with me.

I have the honour to be
Sir,
Your most obedient servant

Superintendent

Asst. Superintendent

No. 31

Dy. Superintendt's Office
Hassan District
Dated Hassan 9th April 1872

To
The Superintendent
Ashtagrand Dn.

Sir,

With reference to your docket No. 1052 of the 19th February 1872, I have the honor to submit for your orders in original Dr. Walker's letter of the 26th March 1872. You will observe that he holds himself entitled to the benefits of Board's of the Chief Commissioner's Circular No. 227 of 1868.

I have the honor &c
Signed J. S. F. Mackenzie.
Offg. Dy. Supdt.

Copy
Main
Offg. Superintendent
Ashtagrand Dn.

Genl. No 877
Rec 7

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Depart. Land Office
Ahmedabad 21st May 1872

The Dy Supt
Ashtagram Divn

Sir,

I am directed by the Chief Commr to acknowledge the receipt of your letter No. 54 of the 22d Ultimo, enclosing copy of a letter from the Dy Supt of the Bassein District, and its Enclosure original (herewith returned) on the subject of levying assessment on certain lands irrigated by Dams constructed by Rd Walker at his own cost, and in reply to inform you that the orders contained in this Office No. 5268/66 of the 12th February last were issued under a misconception.

2. It is now clear that an error was made in dealing with Rd Walker's claims in falling under the terms of para 2 of the Circular of 31st March 1863, for, as the Dams constructed by him were old ones, he was entitled to the benefits prescribed in para 5 of that Circular

3. The Chief Commr therefore directs that Rd Walker be allowed to retain the lands which

which were in his possession
previous to the construction
of the dams in question, at
the dry land rates paid by
him thereon at that time,
subject to revision on the
general re-settlement of the
Talook by the Revenue
Survey, when the special
advantage conferred by para
5, will cease to operate
4 —— Col: Meade observes
that the Dy Supt^r permission
to construct the 2^nd Dam
was conveyed to Mr. Walker
on the 25^th of October 1869,
whereas the operation of the
Circular of 1863, was ordered
to be held in abeyance in
this office Letter N^o 7330 of
18^th March 1869. The Dy Supt^r
was therefore not authorized
to give such permission
without special sanction,
& I am to request that
it may be pointed out
to him.

Rec^d 23.5.72 Issued 23.5.72

Noted 30/5/72

Rec^d 25.5.72 Answ^d

Supt^r Ahmednagar